

**Notice of Allowability****Application No.**

10/753,491

**Examiner**

MICHAEL C. LAI

**Applicant(s)**

HALNA DU FRETAY ET AL.

**Art Unit**

2457

**- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to amendment filed on 4/15/2010.
2. ☒ The allowed claim(s) is/are 4-15, 29, 32-44, 58 and 60.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some\* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_.
- Identifying Indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08),  
Paper No./Mail Date \_\_\_\_
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☒ Interview Summary (PTO-413),  
Paper No./Mail Date 6/10/2010.
7. ☒ Examiner's Amendment/Comment
8. ☐ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_.

/YVES DALENCOURT/  
Primary Examiner, Art Unit 2457

### **DETAILED ACTION**

This office action is responsive to amendment filed on 4/15/2010.

### **EXAMINER'S AMENDMENT**

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Daniel Glueck on 6/10/2010.

The application has been amended as follows:

29. An entry node for the insertion of broadcast control information for the control of the broadcasting of a data stream transmitted in a heterogeneous network, the heterogeneous network including at least one entry sub-network conveying first packets and a basic network conveying second packets, the entry node being connected to the basic network and to the entry sub-network, wherein the entry node comprises a memory and is configured to:

successively receive first packets from the entry sub-network;

associate an access level with each first packet from among a plurality of access levels according to a predetermined policy;

form each second packet by including in each second packet one or more first packet or parts of a first packet associated with a first access level;

insert, into each second packet, broadcast control information corresponding to the first access level;

detect a change in access level between the first access level and a second access level between successive first packets of the data stream;

form a synchronization second packet by inserting a synchronization marker in a second packet;

reduce the size of the second packet preceding the synchronization second packet such that the start of the payload information of the synchronization second packet corresponds to the start of a first packet associated with the second access level; and

transmit second packets into the basic network.

34. An entry node according to claim 33, further being configured to ~~cause~~:

if the current distance is equal to zero, ~~generation and sending of~~ generate and send a synchronization second packet for which the start of the payload information corresponds to the start of the payload information of a first packet associated with the second access level, the synchronization second packet comprising a synchronization marker;

if the current distance is smaller than the normal size of a second packet, ~~generation and sending of~~ generate and send a truncated second packet, known as a preceding second packet, whose reduced size is equal to the current distance, and then ~~generation and sending of~~ generate and send a synchronization second packet for which the start of the payload information corresponds to the start of the payload information of a first packet associated with the second access level, the synchronization second packet comprising a synchronization marker; and

if the current distance is greater than or equal to the normal size of the second packet, ~~sending of send~~ a normal-sized second packet which is not a synchronization second packet.

37. An entry node according to claim 29, wherein the policy of association of an access level with each first packet is based on the use of a plurality of time slots, and wherein the entry node is further configured to:

(a) obtain a time slot, among the plurality of time slots, that includes the instant of processing, by the entry node, of a first packet; and

(b) associate one of the access levels with the first packet as a function of the time slot obtained.

38. An entry node according to claim 29, wherein the policy of associating an access level with each first packet is based on the use of a plurality of pieces of control information that can be contained in the first packets, and

wherein the entry node is further configured to:

(a) obtain at least one piece of control information, from among the plurality of pieces of control information, contained in a particular first packet; and

(b) associate one of the access levels with the particular first packet as a function of the at least one piece of control information obtained.

39. An entry node according to claim 37, wherein the policy of associating an access level with each first packet is based on the use of the plurality of time slots and the plurality of pieces of control information, and

wherein the entry node is further configured to:

(a) obtain the time slot, among the plurality of time slots, that includes the instant of processing, by the entry node, of a particular first packet;

(b) obtain at least one piece of control information, from among the plurality of pieces of control information, contained in ~~a~~ the particular first packet; and

(c) associate one of the access levels with ~~a~~ the particular first packet as a function of the time slot obtained and the at least one piece of control information obtained.

41. An entry node according to claim 29, wherein the entry node comprises an entry terminal, which transmits the data stream, and

wherein the entry node is further configured to directly generate the data stream in the form of first packets.

58. A non-transitory computer-readable storage medium storing computer program instructions ~~for programming a programmable processing apparatus to become configured as an apparatus as recited in claim 29 that when executed by a computer perform the method of claim 60.~~

#### **Allowable Subject Matter**

Claims 4-15, 29, 32-44, 58, and 60 are allowed based on applicant's

Amendments/Remarks filed on 4/15/2010 and examiner's Amendment filed on 6/10/2010.

**Conclusion**

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Michael C. Lai whose telephone number is (571) 270-3236. The examiner can normally be reached on M-F 8:30 - 5:00 EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ario Etienne can be reached on (571) 272-4001. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Michael C. Lai  
10JUN2010  
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Primary Examiner, Art Unit 2457